

REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the Office Action of September 29, 2008 is respectfully requested.

By this Amendment, claims 45-46, 48, 51-52, 54-58 and 61-63 have been amended, and new claims 64-70 have been added. Thus, claims 45-70 are currently pending in the application. No new matter has been added by these amendments.

The entire specification and abstract have been reviewed and revised. Due to the number of revisions, the amendments to the specification and abstract have been incorporated into the attached substitute specification and abstract. For the Examiner's benefit, a marked-up copy of the specification and abstract indicating the changes made thereto is also enclosed. No new matter has been added by the revisions. Entry of the substitute specification is thus respectfully requested.

On pages 2-3 of the Office Action, the Examiner rejected claims 45, 46, 49, 53, 57, 58 and 60 under 35 U.S.C. § 102(b) as being anticipated by Saito et al. (US 6,373,008). On pages 4-7 of the Office Action, the Examiner rejected claims 47, 48, 50-52, 59 and 61 under 35 U.S.C. § 103(a) as being unpatentable over Saito. For the reasons discussed below, it is respectfully submitted that the present claims are clearly patentable over the prior art of record.

Amended independent claim 45 recites an EL sheet comprising a counter electrode layer, a dielectric layer, a light-emitting layer, a transparent electrode layer made of an electroconductive polymer, and a sheet base member. Further, claim 45 recites *a light-transmitting adhesive layer disposed between the transparent electrode layer made of the electroconductive polymer and the light-emitting layer*, with the light-transmitting adhesive layer having adhesiveness with respect to the electroconductive polymer.

Saito discloses a light illuminating type switch which, as shown in Fig. 1, includes a transparent electrode layer 1 comprising a transparent electrode film 1b and a film 1a. Further, Saito discloses that the switch includes a luminescent layer 2, an insulating layer 3, a rear electrode layer 4 and an insulating layer 5.

However, Saito does not disclose *a light-transmitting adhesive layer disposed between the transparent electrode layer and the light-emitting layer*, as required by independent claim 45.

In this regard, it is noted that on page 2 of the Office Action, the Examiner indicates that the luminescent layer 2 and the transparent electrode layer 1 of Saito correspond with the light-emitting layer and the transparent electrode layer of claim 45, respectively. Further, the Examiner indicates that the passage of Saito beginning at column 4, line 4 discloses a light-transmitting adhesive layer disposed between the transparent electrode layer 1 and the luminescent layer 2. However, Saito only discloses that the luminescent layer 2 is formed by printing luminescent ink on the surface of the transparent electrode layer 1, and that the luminescent ink includes a binder. As the binder of the luminescent ink forms part of the luminescent layer 2 of Saito, Saito does not disclose or suggest a light-transmitting adhesive layer disposed between the transparent electrode layer and the light-emitting layer, as required by independent claim 45.

Accordingly, it is respectfully submitted that independent claim 45 is not anticipated by Saito.

Independent claim 47 recites an EL sheet comprising a counter electrode layer, a dielectric layer, a light-emitting layer, a transparent electrode layer made of an electroconductive polymer, and a sheet base member. Further, claim 47 recites *at least one resin-base binder selected from a group consisting of a polyester-base binder, an acrylic binder, a cyanoacrylate-base binder and an ethylene-vinyl acetate-base binder or a synthetic rubber-base binder represented by urethane disposed between the transparent electrode layer made of electroconductive polymer and the light-emitting layer.*

As indicated above, Saito discloses a light illuminating type switch which, as shown in Fig. 1, includes a transparent electrode layer 1 comprising a transparent electrode film 1b and a film 1a. Further, Saito discloses that the switch includes a luminescent layer 2, an insulating layer 3, a rear electrode layer 4 and an insulating layer 5.

However, Saito does not disclose *at least one resin-base binder selected from a group consisting of a polyester-base binder, an acrylic binder, a cyanoacrylate-base binder and an ethylene-vinyl acetate-base binder or a synthetic rubber-base binder represented by urethane disposed between the transparent electrode layer made of electroconductive polymer and the light-emitting layer*, as required by independent claim 47. Rather, as is similarly discussed

above, Saito only discloses that the luminescent layer 2 is formed by printing luminescent ink on the surface of the transparent electrode layer 1, and that the luminescent ink includes a binder. As the binder of the luminescent ink forms part of the luminescent layer 2 of Saito, Saito does not disclose or suggest at least one resin-base binder selected from a group consisting of a polyester-base binder, an acrylic binder, a cyanoacrylate-base binder and an ethylene-vinyl acetate-base binder or a synthetic rubber-base binder represented by urethane disposed between the transparent electrode layer and the light-emitting layer, as required by independent claim 47.

Therefore, for the reasons presented above, it is believed apparent that the present invention as recited in independent claim 47 is not disclosed or suggested by the Saito reference. Accordingly, a person having ordinary skill in the art would clearly not have modified the Saito reference in such a manner as to result in or otherwise render obvious the present invention of independent claim 47.

Therefore, it is respectfully submitted that independent claims 45 and 47, as well as claims 46 and 48-70 which depend therefrom, are clearly allowable over the prior art of record.

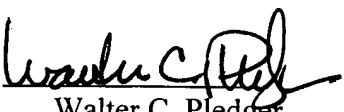
In addition, the Examiner's attention is directed to the dependent claims which further define the present invention over the prior art. For example, dependent claims 57 and 70, which depend from claims 45 and 47, respectively, recite that *a binder for the light-emitting layer is different from that of the dielectric layer*. In this regard, it is noted that column 4, lines 1-19 of Saito disclose that the luminescent layer 2 includes a fluoro-resin binder, and that the insulating layer 3 includes "the above-described fluoro-resin binder" (*i.e.*, the same fluoro-resin binder as in the luminescent layer 2), and therefore Saito does not disclose that a binder for the light-emitting layer is different from that of the dielectric layer, as required by dependent claims 57 and 70.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice to that effect is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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